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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/568,063	07/17/2006	Manfred Heim	HEIM3001/JJC/PMB	7469

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EXAMINER

JOLLEY, KIRSTEN

ART UNIT	PAPER NUMBER
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PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.



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In re Application of
Manfred Heim
Serial No. 10/568,063
Filed: July 17, 2006
For: Security Element With Thin-Layer Element

: DECISION ON
: PETITION
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This is a decision on the PETITION FILED UNDER 37 CFR 1.144 and 1.181(a) filed August 7, 2009 for withdrawal of the restriction made final on April 28, 2009

The Examiner on December 15, 2008 made a restriction requirement on the basis of lack of unity between four groups. The restriction was made final in the Office Action dated April 28, 2009. The basis of the restriction was that the claims of Groups I and II were found to lack unity *a posteriori* in view of U.S publication no. 2004/017789, since it was asserted that the publication disclosed the special technical feature shared by the claims of Groups I and II.

The publication has a filing date of December 17, 2003, which is later than the August 12, 2003 filing date of the foreign priority document of the pending application. The reference cannot be considered a prior art reference.

DECISION

Accordingly, the petition is **GRANTED**.

The claims of Group I and II have unity of invention under 37 C.F.R. 1.475

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